

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2174 OF 2019

Salima Sammad Kureshi & Anr.

.... Applicants

versus

The State of Maharashtra

.... Respondent

.....

- Mr.Ranjeet M. Pawar, Advocate for Applicant.
- Mr.Prashant Jadhav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 04th OCTOBER, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.603/19 registered with Baramati City Police Station, Pune, under sections 429 of the Indian Penal Code r/w 5B, 5C, 9A of Maharashtra Animal Preservation Act r/w Section 11 of Prevention of Cruelty to Animals Act.
2. The FIR is lodged on 03/09/2019 by Police Constable Suhas Dattatray Latane. He has stated that on 03/09/2019 the

Police Officers received information that some cows and buffaloes were being slaughtered at MHADA colony in a tin shed. The police party went there with Panchas. They found that the shed contained skin and meat. The person who was present there, told his name as Asif Mustafa Kureshi. He informed that they were selling meat of slaughtered cows and bullocks. He pointed a cow shed which was just 15 feet away in front of the tin shed where animals were found. He informed that the cow shed belonged to Applicant No.2 Sammad Kureshi. The police party went there. The Applicant No.1 was present there. Two cows and four buffaloes were found there. Applicant No.1 told that they had brought those animals for slaughtering. Panchanama was carried out. Animals were rescued. Meat was seized and thereafter the FIR was lodged.

3. Heard learned Counsel Mr.Ranjeet M. Pawar for the Applicant and learned APP Mr.Prashant Jadhav for the State.
4. Learned Counsel for the Applicant submitted that the

police had seen nothing. The slaughtering was not going on in the premises owned by either of the Applicants. The Applicants have no concern with the alleged offence.

5. Learned APP opposed this application.

6. I have considered these submissions. The FIR clearly mentions that the cow shed, which was owned by the Applicant, was just 15 feet away where the cattle were slaughtered. The meat and skin were found there itself. Thus, the intention of the accused and their actions are incriminating. Since the offence is non-bailable and since Applicant No.1 was found at the spot, neither of the Applicants deserve protection of anticipatory bail. The cattle shed belonged to both the Applicants and they along with others were slaughtering the animals illegally. No case of anticipatory bail is made out. Anticipatory bail application is rejected.

(SARANG V. KOTWAL, J.)